

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

400T0183

HOUSE BILL NO. 1039

Introduced by: The Committee on Judiciary at the request of the Department of Public Safety

1 FOR AN ACT ENTITLED, An Act to exempt certain impaired driving violations from the
2 statutory limitation on enhanced penalties for second, third, or subsequent violations.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 22-6-5.2 be amended to read as follows:

5 22-6-5.2. No enhanced penalty may be imposed for any second, third, or subsequent
6 violation, except for an offense pursuant to the provisions of chapter 32-23, unless the defendant
7 was convicted of or plead guilty or nolo contendere to the prior offense previous in time to
8 committing the relevant second, third, or subsequent offense.

